

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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G&G CLOSED CIRCUIT EVENTS, LLC,

Plaintiff,

- against -

ELADIO GONZALEZ  
d/b/a SIN FRONTERAS RESTAURANT,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

ORDER ADOPTING  
REPORT AND RECOMMENDATION  
14-CV-5334 (RRM) (SMG)

Plaintiff G&G Closed Circuit Events, LLC, commenced this action on September 11, 2014, alleging defendant Eladio Gonzalez violated the Federal Communications Act of 1934 (“FCA”), codified as amended, 47 U.S.C. §§ 553 and 605, by showing an unlicensed broadcast of plaintiff’s boxing match in defendant’s restaurant. Plaintiff claims defendant willfully intercepted, received, and distributed the closed circuit television exhibition without paying the required licensing fee. Defendant failed to appear or otherwise defend the action.

On November 28, 2014, plaintiff moved for default judgment against defendant. (Mot. Default J. (Doc. No. 8).) By Order entered December 1, 2014, this Court referred that motion to Chief Magistrate Judge, Steven M. Gold, for a Report and Recommendation. On August 13, 2015, Judge Gold issued a Report and Recommendation (the “R&R”) recommending that Plaintiff’s motion for default judgment be granted, and awarding certain damages as set forth in the R&R. (Doc. No. 15.) Judge Gold reminded the parties that, pursuant to Rule 72(b), any objection to the R&R must be filed by August 31, 2015. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ORDERED that default judgment be entered against defendant Eladio Gonzalez d/b/a/ Sin Fronteras Restaurant in the total amount of \$4120, comprised of \$1200 in statutory damages, \$2400 in enhanced damages, and \$520 in costs. The Court denies plaintiff's application for prejudgment interest, and none shall be awarded.

The Clerk of Court is directed to enter judgment pursuant to this Order, send a copy of this Order and the accompanying judgment to defendant at the addresses below, and close the case:

Eladio Gonzalez  
d/b/a Sin Fronteras Restaurant  
5715 5th Avenue  
Brooklyn, NY 11220

Eladio Gonzalez  
57 West 159th Street  
New York, NY 10032

SO ORDERED.

*Roslynn R. Mauskopf*

Dated: Brooklyn, New York  
September 18, 2015

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ROSLYNN R. MAUSKOPF  
United States District Judge